REMARKS

Claims 1-58 are currently pending and have been subject to restriction. The Examiner asserts that the claims are drawn to 4 patentably distinct inventions as follows:

Group I. Claims 1-23 and 26-28, drawn to methods of generating dopaminergic cell lines;

Group II. Claims 24-25, drawn to PC12 cell lines;

Group III. Claims 28-30, 32-33, 35, 37, 39-41, 43, 45-47, 49, 51, and 53-57, drawn to methods of identifying agents; and

Group IV. Claims 31, 34, 36, 38, 42, 44, 48, 50, 52, and 58, drawn to agents.

Applicants hereby traverse this restriction requirement with regard to Groups I, II, and III for the reasons set forth below. However, to be fully responsive to the restriction requirement, Applicants provisionally elect *with traverse* Group II, claims 24-25, drawn to PC12 cell lines. Applicants submit that the election is made without prejudice to the prosecution of the subject matter of non-elected claims in divisional, continuation, and continuation-in-part applications.

Applicants submit that the Groups delineated by the Examiner are not distinct, and merit examination together. The Examiner asserts that Groups I and II are related as a process of making and product made, and states that "in the instant case the process could be used to make any cell line; all that is required is that a different vector encoding a different protein be used." Applicants disagree, and submit that Group I, *as claimed*, cannot be used with a different vector encoding a different protein to produce cells expressing proteins other than A53T α-synuclein, because a vector encoding A53T α-synuclein is explicitly claimed. See MPEP § 806.01 ("In passing upon questions of... restriction, it is the claimed subject matter that is considered and such claimed subject matter must be compared in order to determine the question of distinctness or independence.") (emphasis added). If a different vector encoding a different protein were used, as asserted by the Examiner, the resulting cell lines would not be the

same cell lines produced by the process of Group I *as claimed.* In particular, the resulting cell lines would not comprise an expression vector "encoding human A53T α-synuclein operably linked to and under the control of a promoter," as claimed by step (a) of claims 1 and 26. Thus the process of Group I cannot be used to produce a materially different product. Furthermore, examination of both Groups I and II would not be an undue burden on the Examiner, as a thorough search of both groups would require a search for PC12 cell lines stably expressing A53T α-synuclein. Because Groups I and II are both classified in the same class (435) and subclass (353), examination of both Groups would not require additional searches. Based on the foregoing reasons, Applicants submit that Groups I and II should be rejoined and examined together on their merits.

The Examiner asserts that Groups I and III are unrelated because they "require different starting materials and the methods [sic] steps cannot be substituted for each other." Applicants disagree, and note that Group III discloses "obtaining a PC12 cell line stably expressing human A53T α-synuclein," and Group I discloses a method of producing a PC12 cell line stably expressing human A53T α-synuclein. Thus, the method of Group I may be used to obtain a PC12 cell line stably expressing human A53T α-synuclein, as required by Group III. Thus, the methods of Groups I and III are capable of use together, and the steps of Group I can be substituted for step (a) of the claims of Group III. Furthermore, examination of both Groups I and III would not be an undue burden on the Examiner, as a thorough search of both groups would require a search for PC12 cell lines stably expressing A53T α-synuclein. Based on the foregoing reasons, Applicants submit that Groups I and III should be rejoined and examined together on their merits.

The Examiner asserts that Groups II and III are related as a product and process of use. The Examiner asserts that the product as claimed can be used in a materially different process of using that product, and states that "the cells of Group II can be used for production of recombinant protein." Applicants disagree, and assert that the PC12 cell lines expressing A53T α-synuclein of Group II would be unsuitable for production of other recombinant proteins, because they display proteasomal dysfunction, lysosomal dysfunction, increased non-apoptotic cell death, and increased cellular degeneration. See specification at paragraphs [0085]-[00105]. Applicants note that the increased non-apoptotic cell death and cellular degeneration is believed to be due to autophagy. See, for example, specification at paragraph [00126]. Thus, the abnormal protein degradation of the cells of Group II, in combination with autophagy and increase cellular degeneration, would make protein production in these cells unreliable and unpredictable, except for the expression of proteins expressed in the cells as disclosed in the specification. Based upon the teachings in the specification regarding the phenotype of the PC12 cell lines, a person of ordinary skill in the art could not assume that *any* protein could be produced in the cells of Group II. Furthermore, examination of both Groups II and III would not be an undue burden on the Examiner, as a thorough search of both groups would require a search for PC12 cell lines stably expressing A53T α-synuclein. Based on the foregoing reasons, Applicants submit that Groups II and III should be rejoined and examined together on their merits.

Applicants respectfully request that the restriction requirement be withdrawn with regard to Groups I-III, and that claims 1-30, 32-33, 35, 37, 39-41, 43, 45-47, 49, 51, and 53-57 be examined together. Entry of the foregoing remarks into the file of the above-identified application is respectfully requested. An early allowance is earnestly sought.

Respectfully submitted,

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